

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL PICARELLA,

Plaintiff,

-against-

HSBC SECURITIES (USA) INC.,

Defendant.

Case No. 14-cv-4463 (ALC) (AJP)

NOTICE OF DEFENDANT'S MOTION *IN LIMINE*

PLEASE TAKE NOTICE that, upon the Defendant's Motion *in Limine*, HSBC Securities (USA), Inc. ("HSBC") hereby moves for an order excluding evidence relating to irrelevant and prejudicial matters concerning a non-party pursuant to this Court's inherent authority to manage the course of its trials.

PLEASE TAKE FURTHER NOTICE that Defendant's Motion *in Limine* is being served on counsel for Plaintiff Michael Picarella, and courtesy copies delivered to the Court, but that the Motion *in Limine* is not being electronically filed pursuant to the Court's October 28, 2016 order granting HSBC's request to file the Motion *in Limine* under seal.

PLEASE TAKE FURTHER NOTICE that oral argument is requested on this motion.

Dated: October 28, 2016

Respectfully submitted,

By: /s/ Gabrielle Levin

Gabrielle Levin
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue, 48th Floor
New York, New York 10166
Telephone: (212) 351-3901
Facsimile: (212) 351-5301
glevin@gibsondunn.com

Randall W. Jackson
BOIES, SCHILLER & FLEXNER LLP
575 Lexington Avenue
New York, NY 10022
Telephone: (212) 446-2300
Facsimile: (212) 446-2350
rjackson@bsfllp.com

Attorneys for Defendant

AFFIRMATION OF SERVICE

I, Gabrielle Levin, declare under penalty of perjury that I cause to be served on October 28, 2016, this Notice of Motion and Defendant's Motion *in Limine* referenced therein upon all other parties in this case by electronic delivery to:

James Hubbard – jhubbard@liddlerobinson.com

Dated: October 28, 2016

Respectfully submitted,

By: /s/ Gabrielle Levin

Gabrielle Levin
GIBSON, DUNN & CRUTCHER LLP
200 Park Avenue, 48th Floor
New York, New York 10166
Telephone: (212) 351-3901
Facsimile: (212) 351-5301
glevin@gibsondunn.com